

APR 29 2002

1644

PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PATENT/TRADEMARK OFFICE

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 0.00)

| Complete if Known    |                 |
|----------------------|-----------------|
| Application Number   | 09/225,502      |
| Filing Date          | January 6, 1999 |
| First Named Inventor | Steven M. Ruben |
| Examiner Name        | A. Decloux      |
| Group Art Unit       | 1644            |
| Attorney Docket No.  | PF392           |

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MAY 8 2002  
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METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  Other  None  
 Deposit Account

Deposit Account Number 08-3425

Deposit Account Name Human Genome Sciences, Inc.

The Commissioner is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description        | Fee Paid |
|----------|----------|----------|----------|------------------------|----------|
| 101      | 740      | 201      | 370      | Utility filing fee     |          |
| 106      | 330      | 206      | 165      | Design filing fee      |          |
| 107      | 510      | 207      | 255      | Plant filing fee       |          |
| 108      | 740      | 208      | 370      | Reissue filing fee     |          |
| 114      | 160      | 214      | 80       | Provisional filing fee |          |

SUBTOTAL (1) (\$ 0.00)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Extra Claims         | Fee from below  | Fee Paid |
|----------------------|---|----------|
| Total Claims 82      | -82** = <input type="text"/> x <input type="text"/> = <input type="text"/> 0.00 |          |
| Independent Claims 6 | -6** = <input type="text"/> x <input type="text"/> = <input type="text"/> 0.00  |          |
| Multiple Dependent   |   |          |

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 103      | 18       | 203      | 9        | Claims in excess of 20                                     |          |
| 102      | 84       | 202      | 42       | Independent claims in excess of 3                          |          |
| 104      | 280      | 204      | 140      | Multiple dependent claim, if not paid                      |          |
| 109      | 84       | 209      | 42       | ** Reissue independent claims over original patent         |          |
| 110      | 18       | 210      | 9        | ** Reissue claims in excess of 20 and over original patent |          |

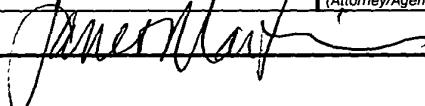
SUBTOTAL (2) (\$ 0.00)

\*\* or number previously paid, if greater; For Reissues, see above

| Large Entity        | Small Entity | Fee Description |        |  |  | Fee Paid |
|---------------------|--------------|-----------------|--------|--|--|----------|
| 105                 | 130          | 205             | 65     | Surcharge - late filing fee or oath  |  |          |
| 127                 | 50           | 227             | 25     | Surcharge - late provisional filing fee or cover sheet                     |  |          |
| 139                 | 130          | 139             | 130    | Non-English specification  |  |          |
| 147                 | 2,520        | 147             | 2,520  | For filing a request for ex parte reexamination                            |  |          |
| 112                 | 920*         | 112             | 920*   | Requesting publication of SIR prior to Examiner action                     |  |          |
| 113                 | 1,840*       | 113             | 1,840* | Requesting publication of SIR after Examiner action                        |  |          |
| 115                 | 110          | 215             | 55     | Extension for reply within first month                                     |  |          |
| 116                 | 400          | 216             | 200    | Extension for reply within second month                                    |  |          |
| 117                 | 920          | 217             | 460    | Extension for reply within third month                                     |  |          |
| 118                 | 1,440        | 218             | 720    | Extension for reply within fourth month                                    |  |          |
| 128                 | 1,960        | 228             | 980    | Extension for reply within fifth month                                     |  |          |
| 119                 | 320          | 219             | 160    | Notice of Appeal   |  |          |
| 120                 | 320          | 220             | 160    | Filing a brief in support of an appeal                                     |  |          |
| 121                 | 280          | 221             | 140    | Request for oral hearing   |  |          |
| 138                 | 1,510        | 138             | 1,510  | Petition to institute a public use proceeding                              |  |          |
| 140                 | 110          | 240             | 55     | Petition to revive - unavoidable   |  |          |
| 141                 | 1,280        | 241             | 640    | Petition to revive - unintentional   |  |          |
| 142                 | 1,280        | 242             | 640    | Utility issue fee (or reissue)   |  |          |
| 143                 | 460          | 243             | 230    | Design issue fee   |  |          |
| 144                 | 620          | 244             | 310    | Plant issue fee  |  |          |
| 122                 | 130          | 122             | 130    | Petitions to the Commissioner  |  |          |
| 123                 | 50           | 123             | 50     | Processing fee under 37 CFR 1.17(q)  |  |          |
| 126                 | 180          | 126             | 180    | Submission of Information Disclosure Stmt                                  |  |          |
| 581                 | 40           | 581             | 40     | Recording each patent assignment per property (times number of properties) |  |          |
| 146                 | 740          | 246             | 370    | Filing a submission after final rejection (37 CFR 1.129(a))                |  |          |
| 149                 | 740          | 249             | 370    | For each additional invention to be examined (37 CFR 1.129(b))             |  |          |
| 179                 | 740          | 279             | 370    | Request for Continued Examination (RCE)                                    |  |          |
| 169                 | 900          | 169             | 900    | Request for expedited examination of a design application                  |  |          |
| Other fee (specify) |              |                 |        |  |  |          |

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

| SUBMITTED BY      |   | Complete (if applicable)          |                |                          |
|-------------------|---|-----------------------------------|----------------|--------------------------|
| Name (Print/Type) | Janet M. Martineau  | Registration No. (Attorney/Agent) | 46,903         | Telephone (301) 315-2723 |
| Signature         |  | Date                              | April 29, 2002 |                          |



Docket No.: PF392-US  
(PATENT)

77  
29/C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Ruben et al.

Application No.: 09/225,502

Group Art Unit: 1644

Filed: January 6, 1999

Examiner: A. Decloux

For: Human FK506 Binding Proteins

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**RESPONSE UNDER 37 C.F.R. § 1.111 TO PAPER NO. 28**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed January 30, 2002, please consider the remarks below. Applicants submit concurrently herewith: (a) a Fee Transmittal, with appropriate fee(s); (b) Exhibits A, B, and C; and (c) a Version With Markings To Show Changes Made.

Please amend the application as follows.

**In the Specification:**

**Replace the first paragraph on page 7 (beginning at line 3) with the following paragraph:**

SEQ ID NO:7 shows the nucleic acid sequence of a cDNA which is a splice variant of the gene described as SEQ ID NO:5. The translation product of this gene (SEQ ID NO:8) also shows very strong homology to FK506 Binding Protein 65 ("FKBP65"). See Coss M.C. et al., J. Bio. Chem., (1995) 270:29336.

**Replace the last paragraph on page 7 (beginning at line 25) with the following paragraph:**

A full-length cDNA clone, and corresponding protein, may be produced by those of ordinary skill in the art by aligning SEQ ID NO:5 and SEQ ID NO:7. Since these clones are nearly identical until they diverge at the 3' end, the 5' portion of SEQ ID NO:7 may be supplied by using the coding region from SEQ ID NO:5.

**Please replace Table 1 on page 8 with the following Table:**